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Committee on Relations with the Host Country

Letter dated 7 May 2010 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Chairman of the Committee

I have the honour to address you, in your capacity as Chairman of the Committee on Relations with the Host Country, in relation to the attached notes verbales sent by the Permanent Mission of the Islamic Republic of Iran to the United Nations to the United States Mission to the United Nations on 15 March 2010 and 7 May 2010, respectively, concerning the unjustified delays in the processing and subsequent denial of a United States entry visa for the Deputy Minister for Foreign Affairs of the Islamic Republic of Iran (see annexes).

I would like also to request you to convene a meeting of the Committee on Relations with the Host Country to consider this issue.

I should be grateful if you would bring this matter to the attention of the Committee on Relations with the Host Country and have the present letter and its annexes circulated as a document of the Committee.

(*Signed*) Mohammad **Khazaee**
Ambassador
Permanent Representative

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Annex I to the letter dated 7 May 2010 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Chairman of the Committee

7 May 2010

The Permanent Mission of the Islamic Republic of Iran to the United Nations presents its compliments to the United States Mission to the United Nations, and pursuant to its note verbale dated 15 March 2010 concerning the long delays in the processing of requests for an entry visa to the United States for H.E. Mr. Mohammad Mehdi Akhondzadeh Basti, Deputy Foreign Minister for Legal and International Affairs of the Islamic Republic of Iran, wishes to state the following.

After months of unjustified delays in the processing of Mr. Akhondzadeh Basti's applications for an entry visa to the United States, which prevented him from attending the related United Nations meetings, the United States authorities officially informed the Iranian Embassy in Bern on 30 April 2010 that his request had been denied. This unjustified decision by the United States authorities clearly contravenes the international obligations of the United States Government, particularly those articulated in the Headquarters Agreement, and undermines the right of a State Member of the United Nations to be duly represented in United Nations meetings.

The Headquarters Agreement, in its article IV, section 11, commits the host country in clear terms that "The federal, state or local authorities of the United States shall not impose any impediments to transit to or from the headquarters district of ... representatives of Members ... of the United Nations", and that "When visas are required for persons referred to in that section, they shall be granted without charge and as promptly as possible" (section 13 (a)); and that "Laws and regulations in force in the United States regarding the residence of aliens shall not be applied in such manner as to interfere with the privileges referred to in section 11" (section 13 (b)). Furthermore, the Headquarters Agreement has made it absolutely clear that "The provisions of section 11 shall be applicable irrespective of the relations existing between the Governments of the persons referred to in that section and the Government of the United States." (section 12).

The Islamic Republic of Iran expresses its strong protest to the United States Government for unjustifiably denying an entry visa to the Deputy Foreign Minister for International and Legal Affairs — the top official in direct charge of United Nations affairs — and regards this denial as a violation of the host country's international legal obligations, including the Headquarters Agreement. The Islamic Republic of Iran is deeply concerned that the United States authorities' patterned practice of delaying the processing of visa applications and subsequently denying entry visas to the representatives of the Islamic Republic of Iran assigned to attend United Nations meetings signifies that the host country's relevant authorities have evidently fallen into the temptation to misuse the United States status as the seat of the United Nations Headquarters as political leverage to advance their political agenda against certain countries. Such practice, which is manifestly in breach of the Headquarters Agreement, particularly section 12, and which is nothing short of calculated political intimidation and pressure, adversely affects the functioning of

the whole United Nations system as an organization constituted of its Member States, and impairs the very foundations of multilateral diplomacy.

The Islamic Republic of Iran reiterates its calls to the host country authorities to honour their international obligations under the Headquarters Agreement, particularly sections 11, 12 and 13, and to take urgent measures to rectify past failures, reverse the above-mentioned decision and avoid such in the future. The relevant United States authorities should take every step to show the Member States that they are eligible to host the United Nations Headquarters.

The Secretary-General of the United Nations, as the custodian of the United Nations Headquarters and the Headquarters Agreement, has a responsibility, too, to make sure that the terms and provisions of the Headquarters Agreement are strictly observed by the host country.

Annex II to the letter dated 7 May 2010 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Chairman of the Committee

15 March 2010

The Permanent Mission of the Islamic Republic of Iran to the United Nations presents its compliments to the United States Mission to the United Nations and has the honour to draw the latter's attention to the long delays in the processing of requests for an entry visa to the United States for H.E. Mr. Mohammad Mehdi Akhondzadeh Basti, Deputy Foreign Minister for Legal and International Affairs of the Islamic Republic of Iran, who is in charge of United Nations affairs.

The application for an entry visa for Mr. Akhondzadeh Basti was first submitted to the Embassy of the United States in Bern on 30 November 2009 (note verbale No. 343-4/6607) for attending the sixty-fourth annual session of the General Assembly. No reply was received from the Embassy concerning the issuance of an entry visa. A new (second) application was submitted on 2 December 2009 (note verbale No. 343-4/6607a) for attending the fifty-fourth session of the Commission on the Status of Women (1-12 March 2010), and again he was not able to attend the event because he did not receive a United States entry visa.

We see no justification for such long delays, which have prevented the Deputy Foreign Minister from travelling to New York to attend United Nations meetings and, thus, has denied a Member State of the United Nations its right to be represented by its designated delegate in the said United Nations events.

The Permanent Mission of the Islamic Republic of Iran to the United Nations wishes to express its deep concern over the long delays in processing the visa application for Mr. Akhondzadeh Basti, and urges the host country authorities to honour their international obligations under the Headquarters Agreement, particularly sections 11 and 13, concerning the timely issuance of entry visas for the representatives of Member States to attend United Nations meetings, and requests that this issue be urgently considered and that the necessary measures be taken to avoid its repetition in future.

It is worth mentioning that a new application for a United States entry visa for Mr. Akhondzadeh Basti to attend the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (New York, 3-28 May 2010) has already been submitted to the United States Embassy in Bern.